

EXHIBIT 26

(Supplement)

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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SERGEY LEONTIEV,

Plaintiff,

Case No. 16-cv-3595

-against-

ALEXANDER VARSHAVSKY,

Defendant.

January 9, 2017

9:40 a.m.

*** CONFIDENTIAL ***

Videotaped deposition of
VITALIY POPOV, taken by Plaintiff,
pursuant to Notice, held at the offices of
Roschier Asianajotoimisto Oy, Keskuskatu
7A, Helsinki, Finland, before
Sharon Lengel, a Registered Professional
Reporter, Certified Realtime Reporter, and
Notary Public of the State of New York.

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2 A P P E A R A N C E S:

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4 GIBSON, DUNN & CRUTCHER LLP
5 Attorneys for Plaintiff
6 200 Park Avenue
7 New York, New York 10166
8 BY: MARSHALL KING, ESQ.
9 ANDREI MALIKOV, ESQ.

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13 DEBEVOISE & PLIMPTON LLP
14 Attorneys for Defendant
15 801 Pennsylvania Avenue, N.W.
16 Washington, D.C. 20004
17 BY: NICHOLAS C. TOMPKINS, ESQ.
18 COLBY A. SMITH, ESQ.

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ALSO PRESENT:

DAVID ROSS ELLIOTT, Videographer
PAVEL KHOKHLACHEV, Interpreter
VICTOR POTAPOV, Check Interpreter

* * *

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1 POPOV - CONFIDENTIAL

2 A. I'm not sure. It's possible
3 that I sent him -- it's more likely that I
4 sent him the first version.

5 Q. Do you recall whether you sent a
6 copy of this to Mr. Garden?

7 A. I don't remember.

8 MR. KING: Let's mark that,
9 please.

10 (Plaintiff's Exhibit 107, An
11 email, Bates AVP0001007, was hereby
12 marked for identification, as of this
13 date.)

14 Q. Do you recognize Exhibit 107 as
15 your response to Mr. Garden?

16 A. Yes.

17 Q. You responded to him in English?

18 A. Yes.

19 Q. Did you draft it yourself?

20 A. Yes.

21 Q. What did you mean by the
22 paragraph immediately preceding the
23 paragraph that says, "Thanks in advance"?

24 A. This is a standard disclaimer.

25 Q. A standard disclaimer because